

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mod

Modak et al.

Appln. No.:

09/746,670

Examiner

Rachel M. Bennett

Filed

December 22, 2000

Group Art Unit:

1615

For

ANTIMICROBIAL MEDICAL DEVICES

Customer No.: 21003

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

I hereby certify that this paper is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450.

March 14, 2005

Date of Deposit

Peter J. Shen

Attorney to

Signature

52,217

Patent Reg. No.

March 14, 2005

Date of Signature

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In further supplement to the Information Disclosure Statement filed on October 28, 2002 and the supplemental Information Disclosure Statements filed on July 9, 2003 and November 11, 2003, and pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants respectfully request that the information presented in this Supplemental Information Disclosure Statement and on the

NY02:514698.1 - 1 -

accompanying PTO Form PTO 1449 be considered by the Examiner and made of record in the

above-captioned application.

The following information is presented by Applicants:

On April 17, 2000, which is prior to the December 22, 2000 filing date of the present

application (Serial No. 09/746,670), a triple lumen catheter was sold by the licensee, Arrow

Incorporated, in the United States. This catheter had an outer coating prepared using a solution

containing three percent (3%) weight by volume (w/v) of chlorhexidine diacetate and 0.75

percent w/v silver sulfadiazine. The catheter had an inner lumen coating prepared using a

solution containing the solvent ethanol, 0.75 percent (0.75%) w/v chlorhexidine free base, and

0.75 percent (0.75%) w/v chlorhexidine diacetate.

The submission of this Supplemental Information Disclosure Statement does not

constitute an admission that any information presented herein is material or constitutes "prior

art." Indeed, Applicants reserve the right to show to the U.S. Patent and Trademark Office that

the pending claims are patentable under United States law in view of information presented

herein.

This Supplemental Information Disclosure Statement is being filed together with a

Request for Continued Examination in lieu of payment of the Issue Fee, which is due today. As

the required fee for the Request for Continued Examination is submitted herewith, no additional

fee is believed to be due for the submission of this Supplemental Information Disclosure

NY02:514698.1 - 2 -

Statement. Should any additional fee be required, however, the Commissioner is authorized to charge any such fee to Deposit Account No. 02-4377.

Respectfully submitted,

BAKER BOTTS L.L.P.

Lisa B. Kole

Patent Office Reg. No. 35,225

Peter J. Shen

Patent Office Reg. No. 52,217

30 Rockefeller Plaza

New York, NY 10012-4498

Attorney for Applicants 212-408-2500

Enclosure

							Page 1	<u>of 1</u>	
Form PTO-1449 U.S. Department of Commerce (REV. 2-82) Patent and Trademark Office 'SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT, BY APPLICANTS						al No. 746,670			
					Applicants Modak et al.				
				Filing Date December 22, 2000	The state of the s	Group Art Unit 1615			
			U.S. PATE	NT DOCUMENTS					
Document No. Date				Name	Class	Subclass	Filing Date ifAppropriate		
 	.		FOREIGN PA	ATENT DOCUMENT					
Document No.			Date	Country	Class	SubClass	Translator Class Yes No		
C	THER	DOCUM	IENTS (including	Author, Title Date, Pertinent	Pages, Etc.))			
(Serial the Uni percent sulfadia solvent	No. 09/ited Statt (3%) wazine.	746,67 tes. The veight be The cather than 1, 0.75 β	0), a triple lume is catheter had by volume (w/v heter had an inrecent (0.75%	en catheter was sold by the an outer coating prepared u) of chlorhexidine diacetate her lumen coating prepared	licensee, Ausing a solution of the licensee, Ausing	Arrow Incount on the control of the	orporated aining the v silver taining t	d, in ree the	
	Docu Docu On Ap (Serial the Un percent sulfadi solvent	Document No. Document No. Document No. OTHER I On April 17, 2 (Serial No. 09/ the United State percent (3%) we sulfadiazine. To solvent ethano.	Document No. Document No. Document No. OTHER DOCUM On April 17, 2000, wi (Serial No. 09/746,67 the United States. Th percent (3%) weight to sulfadiazine. The catl solvent ethanol, 0.75	U.S. PATE Document No. Date FOREIGN PA Document No. Date OTHER DOCUMENTS (including of Serial No. 09/746,670), a triple lumb the United States. This catheter had percent (3%) weight by volume (w/v sulfadiazine. The catheter had an interpretation of the catheter had an interpretation.	A33432 (070050.1354) Applicants Modak et al. Filing Date December 22, 2000 U.S. PATENT DOCUMENTS Document No. Date FOREIGN PATENT DOCUMENT Document No. Date Country OTHER DOCUMENTS (including Author, Title Date, Pertinent On April 17, 2000, which is prior to the December 22, 2000 fili (Serial No. 09/746,670), a triple lumen catheter was sold by the the United States. This catheter had an outer coating prepared to percent (3%) weight by volume (w/v) of chlorhexidine diacetate sulfadiazine. The catheter had an inner lumen coating prepared solvent ethanol, 0.75 percent (0.75%) w/v chlorhexidine free ba	A33432 (070050.1354) 09// Applicants Modak et al. Filing Date Gro December 22, 2000 161 U.S. PATENT DOCUMENTS Document No. Date Name Class FOREIGN PATENT DOCUMENT Document No. Date Country Class OTHER DOCUMENTS (including Author, Title Date, Pertinent Pages, Etc.) On April 17, 2000, which is prior to the December 22, 2000 filing date of (Serial No. 09/746,670), a triple lumen catheter was sold by the licensee, the United States. This catheter had an outer coating prepared using a sol percent (3%) weight by volume (w/v) of chlorhexidine diacetate and 0.75 sulfadiazine. The catheter had an inner lumen coating prepared using a so solvent ethanol, 0.75 percent (0.75%) w/v chlorhexidine free base, and 0.75 sulfadiazine. The catheter had an inner lumen coating prepared using a so solvent ethanol, 0.75 percent (0.75%) w/v chlorhexidine free base, and 0.75	A33432 (070050.1354) 09/746,670 Applicants Modak et al. Filing Date December 22, 2000 1615 U.S. PATENT DOCUMENTS Document No. Date Name Class Subclass FOREIGN PATENT DOCUMENT Document No. Date Country Class Subclass OTHER DOCUMENTS (including Author, Title Date, Pertinent Pages, Etc.) On April 17, 2000, which is prior to the December 22, 2000 filing date of the present (Serial No. 09/746,670), a triple lumen catheter was sold by the licensee, Arrow Inct the United States. This catheter had an outer coating prepared using a solution contagerent (3%) weight by volume (w/v) of chlorhexidine diacetate and 0.75 percent using a solution consolvent ethanol, 0.75 percent (0.75%) w/v chlorhexidine free base, and 0.75 percent	A3332 (070050.1354) 09/746,670 Applicants Modak et al. Filing Date December 22, 2000 U.S. PATENT DOCUMENTS Document No. Date Name Class Subclass Filing DiffAppropriate December 10 (1615) FOREIGN PATENT DOCUMENT Country Class SubClass Trans Yes OTHER DOCUMENTS (including Author, Title Date, Pertinent Pages, Etc.) On April 17, 2000, which is prior to the December 22, 2000 filing date of the present applica (Serial No. 09/746,670), a triple lumen catheter was sold by the licensee, Arrow Incorporate the United States. This catheter had an outer coating prepared using a solution containing the percent (3%) weight by volume (w/v) of chlorhexidine diacetate and 0.75 percent (v.75%) w/v chlorhexidine free base, and 0.75 percent (0.75%) solvent ethanol, 0.75 percent (0.75%) w/v chlorhexidine free base, and 0.75 percent (0.75%)	

Date Considered

Examiner

^{*} Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicant. NY02:514696.1